

that a well-qualified teacher is one of the most important ingredients in that child's education in the school setting.

Obviously, we believe the most important ingredient is the family. If there is one thing this bill cannot do, that would greatly help us all, is if we could just get every parent to spend time with their child, or grandchild, reading to those children and telling them that it is important. This education would complement that, and we would be well on the way to the goal the President has had, that so many Members of this Congress have had, and that is to make sure that each and every child has that opportunity.

Mr. Chairman, I look forward to the amendment process.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me first thank all of the Members for all their kind comments and their support of the bill that we have before us. I think that, as the gentleman from California (Mr. GEORGE MILLER) just pointed out, we have a very sound piece of legislation that will improve the educational prospects for millions of American children. All we need to do is to have the courage to stand up and to vote for it.

There are Members with different views and different visions of what the Federal Government's role in education should be. I have conservative friends who are a little hesitant about this. We have some liberal friends who are just as hesitant. And as the gentleman from California pointed out, this is the most major change in the Federal Government's role in education in the 35 years that the Federal Government has been involved. This is a big step. This will take courage on the part of Members and take courage on the part of this institution to forge our way down a new path. But I think today is the day to do it, and I think this is the bill that will put us on the right path.

This bill did not get here by itself, though. All the Members worked hard but there are a select group of people who deserve to get our thanks: Sally Lovejoy, who heads up the education group on our staff; members of her staff, Kent Talbert, Christy Wolfe, Rich Stombres, Ben Peltier, Cindy Herrle, Pam Davidson, George Conant, JoMarie St. Martin, Bob Sweet, Doug Mesecar, Dave Schnittger and his team, and Paula Nowakowski, staff director.

Let me also thank the Democrat staff who worked very closely with us: Charlie Barone, Alex Nock, Denise Forte, John Lawrence, Brendan O'Neil with the office of the gentlewoman from Hawaii (Mrs. MINK); Maggie McDow with the office of the gentleman from Indiana (Mr. ROEMER); Kara Haas, a staffer in the office of the gentleman from Delaware (Mr. CASTLE); Karen Weiss with the office of the gentleman from California (Mr. MCKEON); and Glee Smith of the office of the gentleman from Georgia (Mr. ISAKSON).

They spent as many hours or more than the Members in terms of helping to craft this bill, to put it together, and to put us on the track where we are today, and I want to thank them for their work.

Mr. DAVIS of Illinois. Mr. Chairman, I rise to express my concern about the legislative language of H.R. 1—The No Child Left Behind Act of 2001, that contains a "grandfather" clause permitting school districts that currently segregate homeless children to continue to do so. The McKinney Act has prohibited this form of segregation. Since 1990, the McKinney Act has required States and school districts to integrate homeless students into the mainstream school environment, and to remove barriers to their enrollment, attendance, and success in school.

As a practical matter, segregation of homeless children who are disproportionately Black and Latino means racial re-segregation. In Chicago, for example, 92% of homeless families that use shelter facilities are African American. To the poor students throughout this nation, this is a crucial issue. Separate is not now, and has never been "equal." National educational policy must not now in the 21st Century embrace this insidious notion: that children should be sent to schools based on their housing or economic status. There is no sound teaching rationale for educating homeless children separately. Homeless children are like all other children and represent an array of educational strengths and needs. Some emerge as valedictorians or above-average achievers, others as special education students, and some simply average achievers.

Putting children in schools with a label of "homelessness" is stigmatizing and demeaning. In many years of work in my district, I have never met a single family that asked for a segregated school. In fact, the parents along with the Chicago Coalition for the Homeless in Chicago fought and closed a segregated facility.

I have a letter from a homeless child name Junior Brewer who is ten years of age, he wrote "I think no matter what, if you are homeless or rich this does not mean that you have to be separated from your friends because we are all created equal inside." What do I tell Junior about the hypocrisy and lies that is being portrayed in H.R. 1. After all Junior, if you are poor and Black or Latino or some other ethnic group being created equal in the inside among men, women, and children is just a dream. Our Republicans say we will leave no child behind but their actions say otherwise. We must show through deeds not words that no child is left behind.

Mr. PAUL. Mr. Chairman, thirty-six years ago Congress blatantly disregarded all constitutional limitations on its power over K-12 education by passing the Elementary and Secondary Education Act (ESEA). This act of massive federal involvement in education was sold to the American people with promises that federal bureaucrats had it within their power to usher in a golden age of education. Yet, instead of the promised nirvana, federal control over education contributed to a decline in education quality. Congress has periodically responded to the American people's concerns over education by embracing education "reforms," which it promises are the silver bullet to fixing American schools. "Trust us," proponents of new federal education programs

say, we have learned from the mistakes of the past and all we need are a few billion more dollars and some new federal programs and we will produce the educational utopia in which "all children are above average." Of course, those reforms only result in increasing the education bureaucracy, reducing parental control, increasing federal expenditures, continuing decline in education and an inevitable round of new "reforms."

Congress is now considering whether to continue this cycle by passing the national five-year plan contained in H.R. 1, the so-called "No Child Left Behind Act." A better title for this bill is "No Bureaucrat Left Behind" because, even though it's proponents claim H.R. 1 restores power over education to states and local communities, this bill represents a massive increase in federal control over education. H.R. 1 contains the word "ensure" 150 times, "require" 477 times, "shall" 1,537 and "shall not" 123 times. These words are usually used to signify federal orders to states and localities. Only in a town where a decrease in the rate of spending increases is considered a cut could a bill laden with federal mandates be considered an increase in local control!

H.R. 1 increases federal control over education through increases in education spending. Because "he who pays the piper calls the tune," it is inevitable that increased federal expenditures on education will increase federal control. However, Mr. Chairman, as much as I object to the new federal expenditures in H.R. 1, my biggest concern is with the new mandate that states test children and compare the test with a national normed test such as the National Assessment of Education Progress (NAEP). While proponents of this approach claim that the bill respects state autonomy as states' can draw up their own tests, these claims fail under close observation. First of all, the very act of imposing a testing mandate on states is a violation of states' and local communities' authority, protected by the 10th Amendment to the United States Constitution, to control education free from federal interference.

Some will claim that this does not violate states' control because states are free to not accept federal funds. However, every member here knows that it is the rare state administrator who will decline federal funds to avoid compliance with federal mandates. It is time Congress stopped trying to circumvent the constitutional limitations on its authority by using the people's own money to bribe them into complying with unconstitutional federal dictates.

Mr. Chairman, H.R. 1 will lead to de facto, if not de jure, national testing. States will inevitably fashion their test to match the "nationally-normed" test so as to relieve their students and teachers of having to prepare for two different tests. Furthermore, states will feel pressure from employers, colleges, and perhaps even future Congresses to conform their standards with other national tests "for the children's sake." After all, what state superintendent wants his state's top students denied admission to the top colleges, or the best jobs, or even student loans, because their state's test is considered inferior to the "assessments" used by the other 49 states?

National testing will inevitably lead to a national curriculum as teachers will teach what their students need to know in order to pass their mandated "assessment." After all, federal